



BY-LAWS

Article I

Name

The name of this body shall be the Council for Labor & Economic Growth, hereinafter referred to as “CLEG”.

Article II

Purpose

Established per Executive Order 2004-36, CLEG is an advisory body within the Department of Labor & Economic Growth established to recommend innovative strategies to assure the continued development of an integrated statewide workforce development system that will meet Michigan’s job needs of today and tomorrow.

The Council is also Michigan’s state workforce investment board as required under Section 111 of the federal Workforce Investment Act of 1998.

Article III

Duties

The duties of CLEG are indicated in Title I of the Workforce Investment Act of 1998, Executive Order 2002-5, and subsequent Executive Orders, including, but not limited to:

- Advise the Governor and Department of Labor & Economic Growth regarding policies in workforce development, adult education, career and technical education, community colleges, and the workforce elements of economic development.
- Develop a unified state policy dialogue involving local workforce boards, universities, community colleges, K-12 schools, and other key stakeholders.
- Advise the Governor on broader standards to assess the effectiveness of the broader workforce development efforts that include Michigan universities, community colleges, and K-12 schools, as well as state- and federally-funded workforce development programs.
- Advise the Governor and the Director of the Department of Labor and Economic Growth on the operation of the following programs:
 - (1) The Work First Program;
 - (2) The Food Stamp Employment and Training Program;
 - (3) The North American Free Trade Agreement (NAFTA) Transitional Adjustment Assistance Program; and
 - (4) Adult Education Programs and Adult Learning Systems.

- Assist the Governor and Department of Labor & Economic Growth in compliance with WIA Title I, Section 111(d):
 - (1) Development of the State WIA plan;
 - (2) Development and continuous improvement of a statewide workforce investment system;
 - (3) Provide comments on the State performance measures taken pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act;
 - (4) Designation of local workforce investment areas;
 - (5) Development of allocation formulas for the distribution of funds to local workforce investment areas for adult employment and training activities and youth activities;
 - (6) Development and continuous improvement of comprehensive State performance measures to assess the effectiveness of State workforce investment activities, including State adjusted levels of performance;
 - (7) Preparation of the State's WIA annual report;
 - (8) Development of a statewide employment statistics system; and
 - (9) Development of a WIA incentive grant application and the application process.

Article IV

Organization

Membership

The membership of CLEG is designated by Executive Order 2004-36 in accordance with the Workforce Investment Act of 1998. The members are appointed by the Governor, except for the legislative representatives. Legislators are selected by the presiding officer the House of Representatives (Speaker of the House) and the Senate (Lieutenant Governor).

The Council's 75 members are key leaders from business, labor, community colleges, universities, community-based organizations, local workforce boards, the K-12 educational community, and government, including:

- The Governor
- 2 members of the Michigan House of Representatives
- 2 members of the Michigan Senate
- Not less than 19 individuals representing business - - majority of membership
- Not less than 2 Chief Elected Officials
- Not less than 4 individuals representing labor organizations
- Not less than 2 individuals representing individuals and organizations that have experience with youth activities
- Not less than 2 individuals representing individuals and organizations that have experience and expertise in the delivery of Workforce Investment Activities, including chief executive officers of community colleges, community based organizations, and officials with/individuals with expertise on One Stop Partner programs
- Additional members, including, but not limited to, representatives of a One Stop Partner program where no lead state agency has responsibility for the program or state agency officials responsible for economic development, child support, juvenile justice, or rehabilitation programs in this state
- 4 ex officio, voting members:
 - (1) The Director of the Department of Community Health
 - (2) The Director of the Department of Labor and Economic Growth

- (3) The Director of the Department of Human Services
- (4) The Superintendent of Public Instruction

The membership shall represent geographically diverse regions in the state and consist of individuals with optimum policymaking authority within the organizations, agencies, or entities they represent. Board members may serve only while holding the position that qualified them for membership on the Board.

Officers

The Governor shall also designate, from representatives of state business entities, a Chair and Vice Chair. The Chair shall convene and preside over all the meetings of the Council. The Vice Chair, in the absence of the Chair, shall perform the duties of the Chair. If both the Chair and the Vice Chair will be absent from the Council meeting, the Director of the Department of Labor & Economic Growth will preside over the meeting.

Terms

Of the 2 Council members initially appointed by the Speaker of the House of Representatives:

- 1 member shall be appointed for a term expiring on April 30, 2005, and
- 1 member shall be appointed for a term expiring on April 30, 2006.

Of the 2 Council members initially appointed by the Lieutenant Governor:

- 1 member shall be appointed for a term expiring on April 30, 2007; and
- 1 member shall be appointed for a term expiring on April 30, 2008.

Of the Council members initially appointed by the Governor:

- Approximately 25% of the members shall be appointed for a term expiring on April 30, 2005;
- Approximately 25% of the members shall be appointed for a term expiring on April 30, 2006;
- Approximately 25% of the members shall be appointed for a term expiring on April 30, 2007; and
- Approximately 25% of the members shall be appointed for a term expiring on April 30, 2008.

After the expiration of the initial terms, Council members shall be appointed for four-year terms expiring on April 30.

The Chair and Vice Chair serve in their positions at the pleasure of the Governor.

Standing Committees

The Council shall have standing committees to help conduct its business. Members shall comply with the Council's Committee Protocol document (Attachment A), as follows:

- Committees shall meet as needed, but at least once, between CLEG quarterly meetings to address their action plans and other issues as directed by the full Council.
- Committee members and chairs are appointed by the CLEG Chair and are based on preferences identified by Council members. Committee Chairs may appoint Vice-Chairs.
- Committee membership may be supplemented by partners and stakeholders with subject matter expertise not currently serving on the Council.

The decisions of a standing committee shall be recommendations only and subject to approval by the full Council except when the standing committee acts on behalf of the Council based on prior authority granted by the Council for a specific purpose.

Executive Committee

The Executive Committee, at a minimum, shall be comprised of the Council Chair, Council Vice Chair, Directors of State Agencies represented on the Council, Standing Committee Chairs, and representatives of Public Workforce Investment, Postsecondary Education, and Labor. The Council Chair may appoint additional members as necessary.

The Executive Committee shall provide overall direction to Council activities and make recommendations on administrative and organizational matters as appropriate.

When the need arises, e.g., taking action when time does not allow issues to be addressed at a regularly scheduled CLEG meeting, the Executive Committee shall be empowered to take action on behalf of the Council. A majority vote of the Executive Committee is required for all such actions. All actions of the Executive Committee shall be reviewed by the full Council at the next regularly scheduled meeting.

Article V

Meetings

Meeting Schedule

The CLEG shall meet at prearranged locations, which meet barrier-free specifications, within the State of Michigan. Meetings shall be held quarterly, unless otherwise notified.

Agendas

CLEG members wishing to have an item placed on the agenda should submit such items with appropriate background information to the Michigan Department of Labor & Economic Growth at least 21 calendar days before the regular meeting. The agenda shall be set by the Executive Committee.

Background material and handouts will be provided to CLEG members at least seven (7) calendar days in advance of a CLEG meeting, unless circumstances dictate otherwise. Mailing by electronic or regular mail to the member's registered address shall be deemed adequate notice. Public notice, as provided under the Open Meeting's Act, shall be given prior to each Council meeting.

Council members and the general public are invited to transmit to CLEG, through the Department of Labor & Economic Growth, any handouts, written materials, or other documents pertinent to workforce development issues.

CLEG shall provide the opportunity to receive comments from the general public at each meeting. When appropriate, the Chair may establish a time limit for each commenter after taking into consideration the number of individuals giving comments and the length of the agenda.

Action Items

Agenda items warranting action (approval, support, comment, etc.) by the full Council shall be initially presented to the appropriate standing committee for comprehensive review and feedback. At the next regularly scheduled quarterly meeting, the committee will present the agenda item with a recommendation for the appropriate action by the full Council.

Quorum and Voting

A simple majority of the members of the Council constitutes a quorum for the transaction of business. The Council shall act by majority vote of serving members participating in a meeting. Each member of the Council shall have one vote. Only gubernatorial appointees and legislators are voting members of the full Council and standing committees. Designees are not permissible for the purposes of voting or participating in a meeting. Subject matter experts and designees may participate on standing committees but may not vote.

To the extent authorized by Michigan law, the Council may authorize members to participate in a Council meeting by the use of telephonic or video equipment. Members participating in a meeting via telephonic or video equipment shall be deemed present at the meeting.

Attendance

The Chair of CLEG may request the resignation of members who decline, without good cause, to attend at least three consecutive, regularly scheduled meetings of the full Council, or five meetings in a 24-month period. In lieu of a resignation request, the Chair may recommend to the Governor that the member involved not be reappointed to the Council.

Members who are unable to continue serving on the Council should notify the Department of Labor & Economic Growth in writing.

Conflict of Interest

Council members shall comply with the Department of Labor and Economic Growth's Code of Conduct (Attachment B) and Conflict of Interest Policies for Boards, Commissions, Agencies, Authorities, and Committees (Attachment C), as well as applicable Michigan law. Specifically:

- Council members shall abstain from voting on issues pertaining to organizations, agencies, or entities with which they are affiliated and shall refrain from influencing the votes of other Board members pertaining to such issues.
- Council members may not vote on a matter under consideration by the Council regarding the provision of services by the member or an entity the member represents, and may not vote on a matter under consideration by the Council that would provide direct financial benefit to the member or the immediate family of the member.
- Council members may not engage in any other activity determined by the Governor to constitute a conflict of interest, as specified in the Two-Year Strategic State Workforce Investment Plan.

Minutes

Minutes of all CLEG and Committee meetings will be taken by Department of Labor and Economic Growth staff and made available within 10 business days to CLEG members via electronic mail, regular mail or posting to the Council web page. The minutes shall contain a summary of discussions and record all actions taken by CLEG and/or committee.

Article VI

Staffing

The Department of Labor & Economic Growth shall be the lead agency in providing staff support for the Council with assistance from other agencies as appropriate and necessary. All legal, legislative, and media contacts shall be referred to Department of Labor & Economic Growth.

All correspondence for the Council may be addressed in care of:

Michigan Department of Labor & Economic Growth
Council for Labor & Economic Growth
Advisory Administration Unit
201 N. Washington Square, 4th Floor
Lansing, Michigan 48913

Article VII

Miscellaneous

Compensation

Members of CLEG shall serve without pay, but may be reimbursed for actual meals, lodging, and travel expenses incurred while conducting CLEG business in accordance with the State travel reimbursement policy. CLEG members may be reimbursed for attendance at other meetings, conferences, seminars, etc., when they are representing the Council. Such attendance shall be authorized, in advance by the Chair.

Rules of Order

Any situation not covered by these by-laws shall be governed by Robert's Rules of Order.

Amendments to By-Laws

Amendments to these by-laws may be adopted by majority vote of the Council.

Committee Protocol

Standing Committees

Jobs Today, Jobs Tomorrow is Governor Granholm's comprehensive plan to secure the future for Michigan families by creating tens of thousands of good paying jobs. In her March 7th address to Council for Labor & Economic Growth (CLEG), Governor Granholm called the Council to work with her to meet this challenge head-on by moving swiftly and boldly to fuel our 21st Century economy and put tens of thousands to work this year and beyond.

Specifically, CLEG is to advise the Governor and the Department of Labor & Economic Growth regarding policies in workforce development, adult education, career and technical education, community colleges, and the workforce elements of economic development.

In order to perform this role, CLEG has identified the major issues that are impacted by the broad scope of workforce development, economic development and education policy and practice and has established "Jobs Today, Jobs Tomorrow" Standing Committees to develop policies and strategies for implementation to address:

- Tackling major workforce issues facing key industry sector
- Increasing Michigan's global competitiveness
- Increasing educational attainment
- Accelerating re-employment/workforce system
- Creating a low-wage worker advancement strategy
- Creating a state culture of entrepreneurship

Committee Charge and Responsibilities

CLEG committees are to advise the full Council on policies and strategies to address the major workforce development and economic development issues facing the State of Michigan.

Michigan must be innovative to deal with the workforce and economic development challenges it faces. Innovation is the single most important factor in determining success in the 21st century, whether innovation is applied to a state or a workforce. The recommendations developed by the CLEG committees must not be traditional – not the ones relied on in previous times of economic challenge. Repackaged traditional solutions simply will not work in our state's current economic environment.

Specific committee responsibilities include:

Committee: ***Tackling major workforce issues facing key industry sectors:*** Building on the Michigan Regional Skills Alliance initiative, work on strategies for a handful of key sectors, such as health care and skilled trades, that will make a major impact with those employers and workers.

Committee: ***Increasing Michigan's global competitiveness:*** Examine the extent to which Michigan companies, workers, students, educational providers, and communities are prepared to succeed against peers worldwide. Gaps in that readiness could become a key focus for ongoing work.

Committee: *Increasing educational attainment:* Lead the follow-through on the Lt. Governor's Commission on Higher Education and Economic Growth recommendations to help meet Governor Granholm's challenge to double the number of Michigan residents with a post-secondary credential during the next 10 years.

Committee: *Accelerating re-employment:* Develop strategies to reduce the time, cost, and pain workers face when involved in job/career transitions. Build from the MI Opportunity Partnership that will proactively steer the unemployed into high-demand career fields, such as health care – including providing oversight and feedback to that initiative.

Committee: *Creating a low-wage worker advancement strategy:* Develop strategies and actions that improve the transition of low-wage, low-skilled workers from entry-level jobs to self-sustaining employment. This work will build from the development work done by the Workforce Action Network.

Committee: *Creating a state culture of entrepreneurship:* Lead a large scale repositioning of how companies and workers embrace entrepreneurship both in the long and short term.

Committee Action Plan

Within the context of the charge and responsibilities outlined above and building on the Governor's existing workforce development initiatives and strategic efforts, CLEG Committees will develop a Committee Action Plan (CAP). Using the attached standard format, action plans should include the following:

- At least one long-term and one short-term SMART objective. A SMART objective is specific, measurable, attainable, results-focused, and timely.
- An impact analysis describing – to the extent possible – action strategies, policy implications, required approvals, measurable outcomes, etc.; and
- Specific timeframes.

CAPs are due by the November 7, 2005 quarterly meeting. Individual CAPs will be used to develop an Action Plan for the Council as a whole and submitted to the Governor.

Committee Operations

In order to accomplish their individual responsibilities, CLEG committees will:

- Convene at least once in between CLEG quarterly meetings
- Keep minutes of each meeting and provide to the Department of Labor & Economic Growth, Advisory Administration Unit
- Provide verbal and written updates at each CLEG quarterly meeting

Committee Membership

Committee members and chairs are appointed by the CLEG Chair and are based on preferences identified by Council members. To the extent possible, appointments to the Accelerating Re-Employment committee are similar to the categorical representation of the Council as a whole. Committee Chairs may appoint Vice-Chairs. In addition, committee membership may be supplemented by partners and stakeholders with subject matter expertise not currently serving on the Council.

Committee Staffing

CLEG is staffed by a full time core team, Advisory Administration Unit, within the Department of Labor & Economic Growth. Standing Committees are administratively supported by AAU staff, adjunct staff from across departments that are represented on the Council, and workforce and economic development policy consultants.

Committee staff support responsibilities includes, but is not limited to:

- Working in close concert with the Committee Chair, to ensure the Committee is actively engaged and does work that is both important and effective.
- Ensuring that communication between the Committee and the Council Administrator is excellent and that priorities are aligned.
- Provide data research and trend analysis necessary to support strategy/policy development and new initiative exploration.
- Managing all clerical, administrative, and logistical functions of the committee.

Specific roles are as follows:

- Each AAU staff member will serve as a liaison for three committees. Their role will be to ensure coordination across the committees.
- State staff assigned to support committees will be responsible for providing logistical support as well as alignment with state policy.
- Consultant staff will be responsible for providing research, analysis and facilitation in concert with state and AAU staff as well as the Committee chairs.

Council for Labor & Economic Growth
COMMITTEE ACTION PLAN

CLEG Committee (Check One)

☐ Tackling major workforce issues facing key industry sectors

☐ Increasing Michigan's global competitiveness

☐ Increasing educational attainment

☐ Accelerating re-employment/workforce system

☐ Creating a low-wage worker advancement strategy

☐ Creating a state culture of entrepreneurship

SMART OBJECTIVE #1

Type (Check One)

☐

Long-Term

☐

Short-term

Start Date:

Completion Date:

Champion:

Description:

Impact Analysis:

SMART OBJECTIVE #2

Type (Check One)

☐

Long-Term

☐

Short-term

Start Date:

Completion Date:

Champion:

Description:

Impact Analysis:

**Department of Labor and Economic Growth
Code of Conduct For
Boards, Commissions, Agencies, Authorities and Committees**

In an effort to maintain the high standard of conduct expected and deserved by the community and to comply with all applicable state conflicts and ethics laws, every Board, Commission, Agency, Authority and Committee (hereinafter “Board” or “Boards”) within the Department of Labor and Economic Growth (“DLEG”) shall operate under the following Code of Conduct.

Each Board member shall:

1. Comply with DLEG’s Conflict of Interest Policy for Boards, Commissions, Agencies, Authorities and Committees as well as applicable Michigan law;
2. Disclose any pecuniary, contractual, business, employment or personal interest that the Board member may have in a contract, grant, loan or regulatory matter before the Board, refrain from participating in any discussion, directly or indirectly, with other Board members regarding the pending item and abstain from voting on any motion or resolution relating to the matter. A Board member who is a director, officer, shareholder or employee of an entity that is to be awarded a contract, grant or loan by the Board, or is the subject of a regulatory action before the Board, is hereby deemed to have an interest that warrants disclosure and abstention from participation in discussion or vote on the contract, grant, loan or regulatory matter. Such disclosure shall be made a part of the public record of the Board’s official action.
3. Use state resources, property, and funds under the Board member’s official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
4. Refrain from all of the following:
 - A. Divulging to an unauthorized person confidential information acquired in the course of the member’s service on the Board in advance of the time prescribed for its authorized release to the public.
 - B. Representing his or her personal opinion as that of the Board.
 - C. Soliciting or accepting a gift or loan of money, goods, services, or other thing of value for the benefit of a person or organization, other than the State, which tends to influence the manner in which the Board member performs official duties.
 - D. Engaging in a business transaction in which the Board member may profit from his or her official position or authority or benefit financially from confidential information which the Board member has obtained or may obtain by reason of that position or authority.
 - E. Rendering services for a private or public interest when that service is incompatible or in conflict with the discharge of the Board member’s official duties.
 - F. Participating in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the Board member has a pecuniary or personal interest.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
CONFLICT OF INTEREST POLICY

BOARDS, COMMISSIONS, AGENCIES, AUTHORITIES AND COMMITTEES

SECTION ONE

All persons serving as members and designated alternate members of any Board, Commission, Agency, Authority and/or Committee (hereinafter a “Board” or “Boards”) within the Department of Labor and Economic Growth (“DLEG”) are public officials who have been appointed by the Governor and who have taken the constitutional oath of office. As public officials, Board members shall perform their official duties in a manner that is consistent with the DLEG Code of Conduct and the conflicts of interest laws of the State of Michigan, which, as may be applicable to a particular Board member, include the following:

- Article 4, section 10 of the Michigan Constitution of 1963
- Michigan Incompatible Public Office Statute, MCL 15.181 et seq.
- Conflicts of Interest Statute, MCL 15.301 et seq.
- Michigan Contracts of Public Servants with Public Entities Statute, MCL 15.321 et seq. (hereinafter, “Public Servant Act”)
- Standards of Conduct For Public Officers and Employees (“State Ethics Act”), MCL 15.341 et seq.; and
- Executive Orders 2003-1 and 2003-19.

SECTION TWO

In addition to the requirements set forth above, with respect to contracts, grants or loans, the Board’s conflict of interest policy shall be as follows:

Any contract, grant or loan that is approved by the Board, and which is entered into or awarded to a entity that has a Board member who is a member, director, officer or employee of the entity, is not a contract, grant or loan prohibited under applicable conflicts of interest law, if all of the following occur:

1. Except as otherwise provided in Section 3(3) of the Public Servant Act, MCL 15.323(3), the affected Board member abstains from participating in any discussion or vote on the contract, grant or loan; and
2. The affected Board member promptly discloses the pecuniary, contractual, business, employment or personal interest in the contract, grant or loan as may be required, and in the manner provided, by the statutory requirements set forth in Section One. Any such disclosure, if required by law, shall simultaneously be made to the Director of DLEG; and
3. The disclosures, affidavit and actions required by Section 3 of the Public Servant Act, MCL 15.323, if applicable, are made and fulfilled with any required disclosure and/or affidavit being simultaneously delivered to the Director of DLEG.